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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,083	01/28/2002	Shell S. Simpson	10008202 -I	3244

7590 08/31/2006
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CA 80527-2400

EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/059,083

Applicant(s)

SIMPSON ET AL

Examiner

DAVID Y. ENG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-8, 10-11, 13-17 and 19-24 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Staas (USP 6,975,419).

See at least the abstract, Figures 1, 3 and 6 in Staas.

With respect to claims 1, 10, 11, 15, 19 and 24 Staas teaches:

A method of transmitting a message (Figure 3A, 3B, 6A and 6B), the method comprising:

determining if a device encounters an event (step 339, Fig. 3B; steps 446, 456 and 463 Fig. 6A) while processing a job (print job);

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determining if the job meets a pre-determined criterion (step 339, Fig. 3B; steps 446, 456 and 463 Fig. 6A); and

transmitting a message to a remote destination (steps 343 Fig. 3B; 449 and 459 Fig. 6A) when each of a set of pre-determined conditions exist, the pre-determined conditions include:

a determination that the device encountered the event (Y in the above identified diamond steps of Figure 3 and 6) while processing the job; and

a determination that the job met (Y in the above identified diamond steps of Figure 3 and 6) the pre-determined criterion.

In claims 2 and 17, the device in Staas is a printer.

In claims 3-6, 13-14, 21 and 23, see steps 339, 343, 346 of Figure 3B, steps 446, 449, 456, 459, 463, 476 of Figure 6A and claim 31 for successful.

In claim 7, the steps recited therein are inherent in submitting print job.

In claims 8, 16, and 22, transmitting messages in Staas requires IP address and email.

Further with respect to step (a) of claim 10, step (bi) of claim 15 and claim 20, see column 5 line 39-54.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Staas (USP 6,975,419) further in view of Pietrowicz (USP 6,978,313).

Staas teaches claim combination set forth above. It does not appear that Staas teaches paging. Paging is well known in the art. See lines 27-41 of column 2 in Pietrowicz. From the teaching of Pietrowicz, it would have been obvious to a person of ordinary skill in the art to page the sender when events are encountered such that attention can be brought to the person being paged immediately.

Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staas (USP 6,975,419) further in view of Smyk (USP 5,751,961)

Staas teaches claim combination set forth above. It does not appear that Staas teaches hyperlink. Transmitting message including hyperlink is well known in the art. Smyk teaches transmitting message including hyperlink. See lines 1-9 column 4 in Smyk. From the teaching of Symk, it would have been obvious to a person of ordinary skill in the art to include a hyperlink In the message of Staas such that the recipient is able to go to a web cite.

Taranath (USP 6,977,744) is cited for the teaching of sending a print job status to a user via email (column 10 line 63 to column 11 line 2).

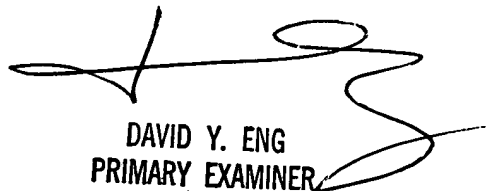
Applicant's arguments with respect to claims 1, 10 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID Y. ENG
PRIMARY EXAMINER